## IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF NORTH CAROLINA WESTERN DIVISION

No. 5:10-CR-00196-F-1
No. 5:16-CV-00142-F

DWIGHT SHERROD TAYLOR,

Petitioner,

v.

ORDER

UNITED STATES OF AMERICA,

Respondent.

This matter is before the court on Dwight Sherrod Taylor's Motion to Vacate, Set Aside, or Correct Sentence pursuant to 28 U.S.C. § 2255 [DE-131]. Having examined Taylor's motion pursuant to Rule 4(b) of the Rules Governing § 2255 Proceedings, the United States Attorney is DIRECTED to file an Answer pursuant to Rule 5, Rules Governing § 2255 Proceedings, or to make such other response as appropriate to the above-captioned § 2255 Motion to Vacate, Set Aside or Correct Sentence, within **forty (40)** days of the filing of this order.

Taylor asserts challenges based on *Johnson v. United States*, 135 S. Ct. 2551 (2015). Sherri R. Alspaugh with the Office of the Federal Public Defender was previously appointed to represent Taylor to determine if he may qualify for post-conviction relief, pursuant to Standing Order No. 15-SO-2 (E.D.N.C. Oct. 16, 2015).

SO ORDERED.

This <u>4</u> day of April, 2016.

JAMES C. FOX

SENIOR UNITED STATES DISTRICT JUDGE